

1 Vanessa R. Waldref
2 United States Attorney
3 Eastern District of Washington
4 Laurel J. Holland
5 Assistant United States Attorney
6 825 Jadwin Avenue, Suite G-60
7 Richland, WA 99352
8 Telephone: (509) 353-2767

FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 17 2024

SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON

9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

4:24-CR-6008-MKD

12 Plaintiff,

INDICTMENT

13 v.

Vio: 18 U.S.C. § 2251(a), (e)
Production and Attempted
Production of Child
Pornography
(Count 1)

14 ANDREW STEVEN OTTO,

15 Defendant.

16 18 U.S.C. § 2422(b)
17 Attempted Online Enticement
18 of a Minor
19 (Count 2)

20 18 U.S.C. § 875(d)
21 Extortion
22 (Count 3)

23 18 U.S.C. § 2253, 18 U.S.C.
24 § 2428, 18 U.S.C.
25 § 981(a)(1)(C), 28 U.S.C.
26 § 2461(c)
27 Forfeiture Allegations

28 The Grand Jury charges:

COUNT 1

Between on or about November 28, 2023, and on or about December 17, 2023, in the Eastern District of Washington and elsewhere, the Defendant, ANDREW STEVEN OTTO, did knowingly employ, use, persuade, induce, entice, and coerce, and attempt to employ, use, persuade, induce, entice, and coerce, a minor, namely Minor 1, to engage in sexually explicit conduct as defined in 18 U.S.C. § 2256(2)(A), for the purpose of producing any visual depiction of such conduct, knowing and having reason to know such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; and such visual depiction having been produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was actually transported and transmitted, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, all in violation of 18 U.S.C. § 2251(a), (e).

COUNT 2

Between on or about November 28, 2023, and on or about December 17, 2023, in the Eastern District of Washington and elsewhere, the Defendant, ANDREW STEVEN OTTO, did unlawfully and knowingly attempt to use a

1 facility and means of interstate and foreign commerce to persuade, induce, entice,
2 and coerce Minor 1, an individual who had not attained the age of 18 years, to
3 engage in prostitution or any sexual activity for which a person can be charged
4 with a criminal offense, including, 18 U.S.C. § 2251(a), Production of Child
5 Pornography, all in violation of 18 U.S.C. § 2422(b).
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8 COUNT 3
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10 Between on or about December 14, 2023, and on or about December 17,
11 2023, in the Eastern District of Washington and elsewhere, the Defendant,
12 ANDREW STEVEN OTTO, did, with the intent to extort from Minor 1 a thing of
13 value, to wit: images of Minor 1 in various states of undress, did transmit in
14 interstate and foreign commerce, via the internet, communications containing a
15 threat to injure the reputation of Minor 1, in violation of 18 U.S.C. § 875(d).
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18 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS
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20 The allegations set forth in this Indictment are hereby realleged and
21 incorporated by reference for the purpose of alleging forfeitures.

22 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in
23 violation of 18 U.S.C. § 2251(a), (e), as alleged in Count 1 of this
24 Indictment, the Defendant, ANDREW STEVEN OTTO, shall forfeit to the
25 United States of America any visual depiction described in section 2251,
26 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book,
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1 magazine, periodical, film, videotape, or other matter which contains any
2 such visual depiction, which was produced, transported, mailed, shipped or
3 received in violation of this chapter; any property, real or personal,
4 constituting or traceable to gross profits or other proceeds obtained from
5 such offenses; and, any property, real or personal, used or intended to be
6 used to commit or to promote the commission of such offenses, or any
7 property traceable to such property.
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11 Pursuant to 18 U.S.C. § 2428, upon conviction of an offense in
12 violation of 18 U.S.C. § 2422, as alleged in Count 2 of this Indictment, the
13 Defendant, ANDREW STEVEN OTTO, shall forfeit to the United States of
14 America, any property, real or personal, that was used or intended to be used
15 to commit or to facilitate the commission of the offense and any property,
16 real or personal, constituting or derived from any proceeds obtained, directly
17 or indirectly, as a result of the offense.
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21 Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon
22 conviction of an offense in violation of 18 U.S.C. § 875(d), as alleged in
23 Count 3 of this Indictment, the Defendant, ANDREW STEVEN OTTO,
24 shall forfeit to the United States of America, any property, real or personal,
25 which constitutes or is derived from proceeds traceable to the offense.
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1 If any of the property described above, as a result of any act or
2 omission of the Defendant:

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4 a. cannot be located upon the exercise of due diligence;
5 b. has been transferred or sold to, or deposited with, a third party;
6 c. has been placed beyond the jurisdiction of the court;
7 d. has been substantially diminished in value; or
8 e. has been commingled with other property which cannot be divided
9 without difficulty,

10 the United States of America shall be entitled to forfeiture of substitute property
11 pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b) or 28
12 U.S.C. § 2461(c).

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14 DATED this 16 day of April, 2024.

15 A TRUE BILL

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